

Decision No. R24-0154-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23A-0197T

IN THE MATTER OF THE APPLICATION OF QWEST CORPORATION D/B/A CENTURYLINK QC FOR THE 2023 BASIC EMERGENCY SERVICE PROVIDER IMPROVEMENT PLAN.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
G. HARRIS ADAMS
ACCEPTING AMENDMENTS TO APPLICATION,
AMENDING CAPTION,
REQUIRING ADDITIONAL NOTICE,
AND LIFTING STAY ON DISCOVERY**

Mailed Date: March 8, 2024

I. STATEMENT

1. On April 24, 2023, Lumen d/b/a CenturyLink QC (CenturyLink) filed its application for 2023 Basic Emergency Service Provider Improvement Plan (Application). Lumen filed its Application pursuant to the Commission's Rules of Practice and Procedure, 4 *Code of Colorado Regulations* (CCR) 723-1-1000 et seq., and in response to Decision No. C23-0125, issued February 22, 2023, in Proceeding No. 22R-0122T, adopting amendments to Rule 2143(b) of the Rules Regulating Telecommunications Services and Providers of Telecommunications Services, 4 CCR 723-2 and Decision No. C23-0250-I, issued April 19, 2023, in Proceeding No. 22R-0122T, extending the deadline for submission of 2023 improvement plans.

2. During the Commission's weekly meeting held on June 7, 2023, this matter was referred by minute entry to an Administrative Law Judge (ALJ).

3. By Decision No. R23-0412-I, issued June 22, 2023, the intervention of the Office of the Utility Consumer Advocate was noted and requests for permissive intervention of the Colorado Cable Telecommunications Association, the Boulder Regional Emergency Telephone Service Authority (BRETSA), the Douglas County Emergency Telephone Service Authority, the El Paso Teller County Emergency Telephone Service Authority, the Colorado Council of Authorities, Inc., and Larimer Emergency Telephone Authority were granted

4. By Decision No. R23-0530-I, issued August 16, 2023, the Motion to Hold Proceeding Open Pursuant to 4 CCR § 723-2-2143(b) was granted, conditioned upon a waiver of the applicable statutory period. Discovery was ordered stayed pending further decision. A remote prehearing conference was scheduled for February 26, 2024.

5. Qwest filed its Waiver of Commission Decision Deadline on August 18, 2023.

6. By Decision No. R23-0858-I, issued December 22, 2023, the Motion for Late-Filed Intervention by Trial Staff of the Commission and Waiver of Response Time was granted. Trial Staff of the Commission is a party to the proceeding.

7. On February 15, 2024, Qwest filed its Amended Application of Qwest Corporation d/b/a CenturyLink QC for 2023 Basic Emergency Service Provider Improvement Plan.

8. At the scheduled time and place, the prehearing conference was convened. During the Conference, Qwest was requested to review the entity and trade name of the entity filing the application and to amend the application to meet the requirements of 4 CCR 723-2-2143(b)(I)(B)(i), which requires such applications to include “the proposed beginning and completion date of the project, along with any proposed intermediate milestones for phases of the project[.]” Qwest agreed to file an amended application within one week, after which

time the Commission would issue supplemental notice for the amended application. The stay on discovery established by Decision R23-0530-I was also lifted, as memorialized by this decision.

9. On March 4, 2024, Qwest filed its Second Amended Application of Qwest Corporation d/b/a CenturyLink QC for 2023 Basic Emergency Service Provider Improvement Plan (Amended Application). CenturyLink explained that it is commonly referred to as “Lumen,” which is a trade name registered with the Secretary of State for several affiliates. However, CenturyLink has not registered Lumen as a trade name for itself. Thus, the application is amended to reflect CenturyLink as the Applicant and CenturyLink thus proposes that the caption be amended as follows: “In the Matter of the Application of Qwest Corporation d/b/a CenturyLink QC for 2023 Basic Emergency Service Provider Improvement Plan.”

10. Based upon good cause shown and no prejudice coming to any party, response time will be waived *sua sponte* and the request will be granted.

11. Consistent with the discussion during the prehearing conference, additional notice shall be provided for two weeks.

II. ORDER

A. It is Ordered That:

1. The Second Amended Application of Qwest Corporation d/b/a CenturyLink QC for 2023 Basic Emergency Service Provider Improvement Plan (Amended Application) filed on March 4, 2024, is accepted.

2. The caption of this proceeding is amended as stated above.

3. The Commission will issue additional notice of two weeks for the Amended Application.

4. The stay on discovery established by Decision R23-0530-I is lifted.

5. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

G. HARRIS ADAMS

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director